

ROTHMAN, SCHNEIDER, SOLOWAY & STERN, LLP

Attorneys at Law
100 Lafayette Street, Suite 501
New York, NY 10013

FRANKLIN A. ROTHMAN
JEREMY SCHNEIDER
ROBERT A. SOLOWAY
DAVID STERN

Tel: (212) 571-5500
Fax: (212) 571-5507

January 10, 2012

VIA E.C.F.

Hon. Nicholas G. Garaufis
United States District Judge
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Ronell Wilson
04 Cr. 1016(NGG)

Dear Judge Garaufis:

Colleen Brady, Beverly Van Ness and I represent Mr. Wilson in the above referenced matter. I write pursuant to your Honor's direction and with the agreement of the government to propose a schedule for the proceedings in this matter.

The parties jointly propose the following schedule:

March 1, 2012 - Defense notice of intent to seek a hearing pursuant to Atkins v. Virginia.

March 30, 2012 - Simultaneous exchange of experts either party intends to call at an Atkins hearing, experts C.V.'s and tests either party intends to administer. In addition the defense will provide a description of the tests which have been administered to the defendant by defense experts, as well as a summary of the opinions the experts are expected to render. Either party's list can be modified on notice, should either side determine based on the results of testing or investigation that additional experts or testing are required.

Hon. Nicholas G. Garaufis
January 10, 2012
Page Two

April 20, 2012 - Defense motions regarding the government's proposed tests, scope of the interview of defendant, and procedures to be followed.

May 11, 2012 - Government's response to defense motions.

May 18, 2012 - Defense reply.

June 1, 2012 - Argument and/or hearing on issues presented in motions.

June 15, 2012 - Court's decision on motions.

July 20, 2012 - Completion of government testing.

August 17, 2012 - Simultaneous exchange of expert reports.

September 7, 2012 - Final motions regarding substantive and procedural issues.

September 21, 2012 - Response to motions.

October 5, 2012 - Courts decision on motions and Court to set date for hearings.

The parties are unable to agree on the issue of when the defendant must provide notice pursuant to Rule 12.2 of the Rules of Criminal Procedure with respect to a penalty proceeding, if any, and seek the opportunity to brief the issue.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'David Stern', with a large, sweeping initial 'D' and a stylized 'S'.

David Stern